

PLAYBOY INTERVIEW:

MELVIN BELLI

a candid conversation with the embattled, outspoken attorney who defended Jack Ruby

"The mad genius of the San Francisco bar . . . a court jester" . . . "a publicity-mad pettifogger" . . . "the S. Hurok of the legal profession"—these are among the kinder things said about San Francisco attorney Melvin Mouron Belli (pronounced "bell-eye"). That he is unquestionably among the greatest living trial lawyers, however, is conceded even by Belli's legion of enemies, including no few as formidable in stature as the American Bar Association, the American Medical Association, most major insurance firms, J. Edgar Hoover, Robert Kennedy, Richard Nixon and, perhaps most recently, the city of Dallas, Texas, ever since Jack Ruby—with Belli as his counsel—was sentenced to death there for the murder of Lee Harvey Oswald.

An eminent attorney long before the Ruby trial, "Belli has had more effect on the law in the past ten years than any 50 lawyers in the last century," in the possibly overenthusiastic opinion of a colleague. Indeed, many of his cases have established, or carried forward, major precedents in America's civil and criminal law. Defending those accused of rape, robbery, assault, arson, murder, fraud, pimping, income-tax evasion, forgery and even overtime parking, he has won literally hundreds of criminal cases. But he is best known as "The King of Torts"—a title he cordially dislikes—for his victories in more than 100 personal-injury and medical-malpractice suits, in which he has earned for clients awards rang-

ing from \$100,000 to a record-setting \$675,000. He has also pioneered the use of "demonstrative evidence" before juries—graphic, and sometimes grisly, courtroom displays of artificial limbs, autopsy photographs, skeletons, mannequins, X rays, witnesses on stretchers—inspiring William Prosser, former dean of the University of California Law School, to call him "a Hollywood producer," and his trials "epics of the super-colossal." So potent is the Belli image, however, that defendant insurance companies have sometimes made substantial settlements when mere mention was made that Belli might be hired.

An international law practice, plus a prodigious schedule of writing, lecturing and teaching, takes Belli around the world, usually followed by a wake of controversy. But no one has earned him as many headlines as the one he lost 15 months ago in Dallas, where he caused a courtroom sensation by leaping up after the announcement of the verdict, tears in his eyes, to denounce the death sentence for Jack Ruby as "the shotgun justice of a kangaroo court."

It was to explore the issues and the aftermath of this historic trial, as well as the other unpopular causes he has espoused during his 32-year career, that we went to San Francisco early this spring for an exclusive interview with the embattled 57-year-old attorney. He greeted us in the three-story Belli Building, which he had bought from ten Chinese

owners and spent \$450,000 moving to such turn-of-the-century elegance that it has been formally designated State Landmark Number 408 by the California Historical Association. The local San Francisco Gray Line tour includes a glimpse from the street through the picture window of his ornate office, where Belli himself may be seen at his vintage desk consulting with clients and colleagues amid a spectacular interior mélange of heavy crystal chandeliers, velvet chairs, leather couches, armchairs, quill pens, oil paintings, awards for Belli's forensic triumphs, thousands of legal and medical books, an array of apothecary jars, several human skeletons and a 25-foot-long bar. With a small communications network of telephone and speaker systems, Belli maintains touch with 18 lawyers on the staff, their secretaries, private investigators, sundry other specialists attending the cases of clients by the dozens who have been lured by Belli's magic name and lofty courtroom battling average.

In a casual display of expansive graciousness, millionaire Belli showed to us the keys to his Rolls-Royce Phantom Coupé for our use during the visit and he dined and drank as regally in his \$280,000 Twin Peaks home. During our weeklong series of conversations, we accompanied him to speaking engagements and joined him at his tailor's for the fitting of three new suits. And on our first morning in town, we even helped

him transplant geraniums in his office garden, box as his pre-engineered socks and dust matted his long hair in the street outside. In this brief interview, we began by posing a hypothetical question.

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PLAYBOY: You said once that my lawyer wormy of the name has commitment to defend the pariahed, unpopular defendant. You proved your point when you defended Jack Ruby. Would you have been as willing to defend Lee Oswald if he had lived?

BELLI: I would have hated to, for I loved Jack Kennedy very much. But as a lawyer, I must acknowledge that any man charged with any crime, however heinous, is entitled to competent representation. So if Oswald had lived, and he hadn't been able to obtain other competent counsel, and I had been asked to take his case—yes, I would have represented him. If I had refused, I feel I would have had to turn in my shingle. I like to think that the American Bar hasn't sunk so low that there are not other defense attorneys in this country who would have done the same thing.

PLAYBOY: Do you think Oswald's rights as an accused were adequately protected by the Dallas authorities?

BELLI: Oswald's treatment by the law was the biggest scandal in the history of American justice. The world saw the horrendous spectacle of Oswald, without legal counsel, interrogated for hours and thrust into that Friday-night mob-scene "press conference" and shouted questions in police headquarters corridors. He had no counsel to object as dozens of self-seeking, self-serving "authorities" volunteered to the press their prejudicial, incriminating and otherwise unwarranted statements regarding Oswald's guilt. He went a full day without counsel. In my belief, the public's mounting outcry shamed the city into sending the president of the Dallas Bar Association, H. Louis Nichols, to visit him in his cell. As far as I know, Nichols has never been inside a trial courtroom except for official inductions to office, eulogies and ceremonial purposes; this legal paragon then did what strikes me as unthinkable and unforgivable by giving an interview to the press that probably destroyed Oswald's obvious and valid defense, that he was mentally deranged. Nichols told the press that "he looked perfectly all right to me," which gratuitously and automatically helped the Dallas establishment condign public opinion against any insanity defense by Oswald. There was an Oswald defense counsel to scream in protest when Dallas' prosecutor told millions watching on television, "Oswald is the guilty man. There is no doubt about it, and we're going to fry him!" What kind of defense counsel would have consented to the Dallas police department's utterly unbelievable stupid act of marrying Os-

vision. An... defense counsel for Oswald should... been a urgent priority for the American Bar Association—while he was alive. But not until Oswald was safely dead did he get a counsel. When his lawyer couldn't be embarrassed by being seen sitting next to an assassin, an unpopular defendant, then national A.B.A. president Walter E. Craig was appointed to represent Oswald at the Warren Commission hearing.

PLAYBOY: Despite the Warren Report, the belief persists in some circles, especially abroad, that Oswald and Ruby were parties to a right-wing plot against the President's life—a plot in which the FBI, the Secret Service and even the Warren Commission conspired to conceal "the truth." Do you feel that these suspicions have any substance?

BELLI: They're hallucinatory and utterly preposterous. Do you want to know who I believe is solely responsible for starting these rumors? The Dallas police department and the Dallas district attorney's office. Their ominous insinuations that Oswald and Ruby knew each other started during the trial. In the judge's chambers I tried to persuade the D.A. to announce in court that there was no truth to those rumors—which could have been quashed right there—but it appeared to me that the D.A. encouraged them, so as to make Jack Ruby seem some kind of conspiratorial monster. So the rumor that he had killed Oswald to "silence" him got cabled abroad, and it steadily mushroomed, besmirching the image not only of our law-enforcement agencies, but of our nation. It has been made to appear that our FBI either could not or would not report the full story of the "plot." There was even an outrageous rumor that our own President Lyndon Johnson conspired in the assassination, to succeed to the Presidency. Now, I know as much about the assassination as any man alive, and I can tell you flatly that it was the barren, solitary act of Lee Oswald. He was a crazy man. And he and Ruby were strangers. These are facts. The most incredible thing to me is why the FBI didn't pass along to the Secret Service the lengthy file it had on Oswald. But as much as I detest the type of man that J. Edgar Hoover is, I can't make myself believe that the FBI or the CIA or anyone else suppressed knowledge of any plot. On the Warren Commission, we had seven wise and honorable men, some of the best. If they couldn't come up with the truth, then God pity us all!

PLAYBOY: What significance do you attach to Warren's statement, during the Commission's deliberations, that the full story of the assassination "won't come out in our lifetimes"?

BELLI: None. That was a horse's-ass thing for Justice Warren to say. I don't

he meant any... you're looking for... though, I can tell you something most people never knew. The night before Oswald was shot, I learned, a Dallas policeman and his girlfriend talked with Jack Ruby, trying to get him to approve of the idea of having Oswald lynched. Their reason was that they knew what a weak-minded guy Jack Ruby was. At the trial, I never mentioned the cop and his girl, because I never could locate them again; they just disappeared.

PLAYBOY: Why did you take on the Ruby case? Some say it was for the publicity.

BELL: Look, I'm for hire. I will defend anyone who comes to me—even the president of the Bar Association suing a guy for defamation, for accusing him of being a liberal, in favor of civil rights, due process of law, and against wire tapping. My service to the community as a trial lawyer is that I am for hire by either side. As far as publicity is concerned, I'd had my fill of that long before that travesty of a trial ever came along. My motive in taking the case was that I hoped I might be able to do something for that sick man, Jack Ruby, for psychiatry, for law, and for tolerance. But I didn't volunteer for the job. Jack's brother Earl asked me if I would take the case, and he offered me a defense fee of \$100,000.

PLAYBOY: Did that sum play any part in your decision?

BELL: I agreed to take the case for the reasons I've just stated. But since you've brought up the money, it might interest you to know that I never got anything like \$100,000 for the case. What I got was debts—bills, expenses for our defense team, for the medical experts who flew to Dallas to testify for Ruby, and other costs. I did get about \$12,000 from the Rubys, but I paid for every other cent of the costs out of my own pocket—about \$15,000. It might also interest you to know that I was offered \$100,000 from another source not to defend Jack Ruby. I'm not saying what source.

PLAYBOY: There has been some speculation that the offer came from a well-known right-wing Dallas oil millionaire.

BELL: If that's what you heard, that's what you heard.

PLAYBOY: That's all you want to say about it?

BELL: No more—now.

PLAYBOY: All right. Once you accepted the case, what made you decide on a plea of temporary insanity?

BELL: The incontrovertible evidence of psychiatric examinations. Jack Ruby was and is a very sick man who belongs in a mental hospital. We owed to our national image a dramatic example of how the American legal system pursues

the innocent in our law's understanding of mental illness. Indeed, for the world to see and appreciate the modern medical specialty of psychotherapy at work was one of the great promises of that trial. And those brilliant clinical experts—psychologists and neurologists—who examined Jack Ruby put together an unmistakably clear picture of a mentally unstable man whom the assassination had stunned and shocked and impelled into frantic, attention-seeking compulsions beyond his power to control. Nothing I've ever sensed in advance about the line of defense for a client has ever been more graphically justified by the evidence—or more ignored by a jury.

I never dreamed what a kangaroo court of mockery and errors and prejudice in law and decency we were going to face in that city. There isn't one fair-minded lawyer who won't appreciate what I'm saying when the transcript can be read. I've disagreed with jury verdicts before; every lawyer has. But I've never felt that the jurors weren't honestly trying to do their very best—except on that black day there in Dallas.

PLAYBOY: Bitter criticism and even American Bar Association censure have been leveled at you for shouting after the verdict, "May I thank the jury for a victory of bigotry and injustice!" How do you feel about it now?

BELL: As outraged as I did then. It was a spontaneous outburst of horror at the callous death sentence from a jury that had taken actually less than one hour to consider all of the complex scientific testimony about that pitiful, afflicted little man. I shouted long, vituperatively, and in tears, that a kangaroo court and a bigoted jury had railroaded Jack Ruby to purge their collective conscience in a rape of American justice that made Dallas a city of shame forevermore. Too often have our courts of law shown us that vindictive streak, that drive to heap society's sins upon an individual, that hypocritical refusal to face facts inherent in which are unpleasant truths about ourselves. The watching, listening world needed to hear a voice from among those Americans who recognized what had happened, and who were sickened by Dallas' cruelty, the smugness, the community defensiveness and the blind determination to crucify one man for everyone's sins.

PLAYBOY: Do you think that's any more true of Dallas than it would have been of any other city where the president might have been murdered?

BELL: It's uniquely true of Dallas. Dallas is unlike any other city in the state, even the rest of Texas, thank God, is different from Dallas. Federal Judge John Hughes called Dallas "the only American city in which the President

have been shot. I was a veteran writer who ap-
praised and reported Dallas in such
terms as "murder capital of the world,"
"a sick city," "a festering sore," "a city of
shame and hate." Here is a city where a
minister told his flock, "If any of you
vote for this Catholic Kennedy, don't
you ever come to my church again."
Here is a city where I took my wife
and son to a beautiful Baptist church
and on the Sunday program an usher
gave me, the Lord's message was
squeezed down in a corner under the
church's impressive balance sheet full of
dollar signs. Here is a city where I en-
tered a barbershop, unrecognized, and
someone discussing the trial said, "I hear
they got those Jew psychiatrists out from
Maryland," and someone replied, "Yeah,
with their slick Jew lawyers." I swept the
towel from around my neck, stood
straight up, gave the Nazi salute, yelled
"Achtung! Heil Hitler!" and goose-
stepped outside. Here is a city whose
prosecutor said of a St. Patrick's Day pa-
rade, "Maybe we're pressing our luck too
far to allow another parade so soon for
another Irishman!" And the same pros-
ecutor said, "Well, if they want to look
inside of Jack Ruby's brain, we'll give it
to them after we fry him!"

Dallas is where Adlai Stevenson was
spat upon and hit upon the head with a
picket sign, and where the American flag
was hung upside down by General Ed-
win Walker, an ardent advocate of the
philosophy of the John Birch Society. In
Dallas in 1960 even Lyndon Johnson and
his lady had been insulted. Dallas is a city
where the "Minutewomen" get on tele-
phones and call all over with such mes-
sages as "Mental health is Communistic"
and "Fluoridation of water is Commu-
nistic."

PLAYBOY: Aren't you describing the
activities of a lunatic fringe?

BELLI: Look, I'm not talking about *all*
the citizens of Dallas. I'm talking about
the oligarchy that *rules and runs* the
city. I'd be the first to admit that some
of America's truly fine people live there.
In Dallas I met two of the greatest
stand-up guys I ever knew: Stanley Mar-
cus of Neiman-Marcus—it took visceral
courage to speak out as he did; and Rab-
bi Silverman—he was one of the bravest
men there. No, my contempt is reserved
solely for the city's archreactionary oli-
garchy. You know what made them mad-
der at me than anything else? It was
when I said what *symbolized* Dallas for
me: a gold-plated bidet I'd seen with a
philodendron growing out of it. They
were enraged at the implication that
they hadn't known what to do with it.
Well, I take that back. They *do* know
what they can do with it.

I'll never forget how Sheriff Bill Deck-
er said he was going to see to the "safe-
ty" of Joe Tonahill, my trial assistant.

can't go to court "because there's
so much rough feeling around here." I
told him, "Look, I appreciate your con-
cern, but we're going to walk down
goddamn Main Street to the courthouse.
Whenever it gets to the point here in
America, in my own country, that I
can't walk down any main street as a
trial lawyer, then I'll have to take down
my shingle." And I would. I'd go to
Congress and walk outside wearing a
sandwich board. I'd howl to the heav-
ens. I might have to do some flamboyant
things to get my story heard, but you
know I know just how to do it. In any
case, we *did* walk down that Main Street
in Dallas to the trial, but I'm going to
tell you the truth, I was scared shitless. I
used to say, despite all my enemies, that
no one would ever actually want to
shoot me. But now, after walking down
that street and seeing the hate in the
eyes of everyone who watched, I never
would say that again.

PLAYBOY: Was your outburst in court
the reason for your being dismissed as
Ruby's lawyer after the trial?

BELLI: I was not fired. I bowed out of
my own accord. I lost my objectivity that
day in Dallas. Once I lose my objectiv-
ity, I've lost my value in our adversary
system of justice. So I got out of the case.
It's as simple as that.

PLAYBOY: What do you think will re-
sult from the appeal of Ruby's convic-
tion which is now pending?

BELLI: I think that everyone in law
knows what will almost automatically
happen when an appellate court re-
views that trial transcript away from
that emotionally charged Dallas court-
room. I pray to God that the terrible
miscarriages of American justice that
trial transcript contains will cause the
case to be reversed. And I pray, for the
sake of that sick, pathetic little man,
Jack Ruby—whose already paranoid-
schizophrenic condition has deteriorated
shockingly during his long imprison-
ment without psychiatric care, and who
has tried several times to commit suicide
in his cell, once by butting his head
against the wall—that his cruel death
sentence will be commuted to life im-
prisonment in a mental hospital, where
he has belonged since the day they put
him in Dallas' city jail a year and a half
ago.

PLAYBOY: Do you favor capital pun-
ishment in murder cases where the assail-
ant is adjudged mentally sound?

BELLI: I don't favor institutional venge-
ance under *any* circumstances. Who in
God's name has the right to pass judg-
ment on the life of another man
being? Who's to usurp this divine pre-
rogative? Only a primitive mind sanc-
tions this kind of barbarity. Just look at
the creeps who are in favor of it. I get
the feeling they want to be the ones to
pull the switch. Dick Nixon is

fact, I think we're slowly going in the wrong direction. More likely it's because of the increasing rate of population growth; because of the poor, the uneducated and the underprivileged in our squalid, sprawling city slums; because of the struggle to retain our individual identities in an increasingly anonymous mass society; because of our liberation from Victorian sexual strictures, which has set many young people morally adrift; because we find ourselves burdened with more leisure time than ever before, and the Devil is finding work for idle hands; and maybe partly because we have too many laws telling us what not to do—some of them damned silly laws. Instead of trying to legislate morality for adults, why don't we try teaching it to children? The better, the more tolerantly, the more sympathetically we educate our children, the less crime we'll have when they grow up.

PLAYBOY: Another "legal technicality" decried, and occasionally defied, by law-enforcement officials is the Constitutional amendment that safeguards the public from "unreasonable searches and seizures," thus prohibiting police, say on a gambling or vice raid, from entering a private residence without knocking, or from searching a premises without a warrant. Do they have a valid complaint?

BELL: In a word, no. I'm still Victorian enough to feel that my home is my castle. Damn it, if I were growing marijuana in my back yard, I'd still insist that J. Edgar get a search warrant before I'd let him wipe his feet on my door mat. Once the uninvited have the carte blanche right to prowl my home and search my person, next they'll be trespassing in my mind, as they're already trying to do with truth serum and lie detectors. Such Gestapo information procedures are not only unnecessary but unendurable in a democracy.

Except perhaps to our God, we all have a façade, even to our closest friends; some of us even to ourselves, and to our spouses—our spouses in particular, for that matter. It may not be good that we have it, but I don't believe the state or anyone else has a right to pierce that façade without the individual's consent—even though it might be good therapy for us to have the veil drawn aside. But that's the psychotherapists' realm, not the cops'.

PLAYBOY: How do you feel about legalized wire tapping? Is it morally or legally defensible?

BELL: Wire tapping, like lie detectors and truth serum, isn't only impolite, it's morally, legally, innately wrong; it stinks of spying. We can't let Big Brother get away with it. He's already got his long arm up to the elbow into our pocket-books, our offices and our daily life.

PLAYBOY: Doesn't your own firm employ wire tapping in its investigative work?

BELL: Yes, I'm afraid we do. I don't

have to tell you that the fact of its widespread use, which makes its complete avoidance unavoidable. If I'm a layman, I can turn away from an ugly wound, but not if I'm a surgeon—and as a lawyer, I am a surgeon of sorts: I have to use every means at my command to represent my client, just as a surgeon has to use every instrument or drug at his command to save his patient. It's simply that bugging is now so commonplace that no conscientious and realistic lawyer, however much he deprecates it, has any choice but to use it.

PLAYBOY: Among the staunchest supporters of legalized electronic surveillance is the FBI. What do you think of its vaunted reputation for scientific crime detection?

BELL: Their technical expertise is more impressive than their reputation. Sure, it's a patriotic institution, as sacrosanct as motherhood—but both can get a bit sickening when overportrayed, which they are. While it spends its time and the taxpayers' money chasing two-bit car thieves and looking for Communist spies in Greyhound bus stations, organized crime continues to get fat off of prostitution, dope, gambling, "juice" and murder for hire; it's the nation's biggest business. With its resources and its power, there's no reason in God's world why the FBI couldn't have broken up the syndicate long ago if Hoover really wanted to. The reason he hasn't is simply that syndicate bigwigs are so good at covering up their tracks that it's hellishly difficult to get a conviction, and he wants to keep his precious FBI's gleaming escutcheon unblemished by failure.

PLAYBOY: We take it you're not one of his greatest admirers.

BELL: You might say that. If you want a good scare, get a copy of Fred Cook's book, *The FBI Nobody Knows*, and read it some dark night. It tells the cold, hard facts about Hoover. As the FBI's revered director, he's done a great job—of making his position more secure than that of most crowned heads in this troubled world. Hoover's dictatorial ideas and ideology have no place in a position of such power in a democracy.

PLAYBOY: What is his ideology?

BELL: The ideology of fascism, of rightism. Look at how many ex-FBI men are members of the John Birch Society; I wonder where they picked it up. Hoover is an archreactionary autocrat who deprecates the concept that "we the people" are fit to govern ourselves. He's a dangerous, dangerous man whom we should have gotten rid of a long time ago. Given full rein, he'd legalize not only wire tapping but search-warrantless and no-knock-and-enter; he'd completely abandon due process and constitutional protection; guarantee every citizen.

PLAYBOY: Aren't you going a bit far?

BELL: I probably am--but I'm telling the truth. When it appears in print, I fully expect a knock at the door from Mr. Hoover's gray-flannel minions. They've already tried to tap my phones and monkey with my mail. But I've had uninvited nocturnal visitors before. I'm ready for them. The question is: Are they ready for me?

PLAYBOY: Speaking of violating individual rights, do you feel, as some have charged, that Robert Kennedy, as Attorney General, unduly and extralegally harassed Teamster boss Jimmy Hoffa?

BELL: God pity Hoffa. Any individual is in trouble today if he gets the eagle after him. One vicious man, Bobby Kennedy, subverting the powers of government, made it a mission to "get" Hoffa. Now, Hoffa's done a lot I don't like—but I think some of his convictions will be reversed. If Hoffa has done wrong—and maybe he has—the law will take care of him. He should be prosecuted, not persecuted.

PLAYBOY: *Fact* magazine recently attributed to you the following remarks about Robert Kennedy: "He's the most vicious, evil son of a bitch in American politics today. . . . Sure, he wants to be President, but what he really wants is to become head of the universe. . . . The Pope isn't safe with that little bastard around. . . . He's arrogant, rude, and even ignorant of the law. . . . He's the monied Little Lord Fauntleroy of government. . . . Every newspaperman knows what he is, and even Johnson can't stand him, but everybody is too scared of the son of a bitch." Are these accurate quotes?

BELL: That's what I said. But I certainly didn't expect to see it on the cover of a magazine; indeed, I didn't expect to be directly quoted. But I've since had hundreds of both lawyers and laymen write and telephone me to say, "I wish to hell I'd had the guts to say the same thing." Kennedy as Attorney General had absolutely no experience for the job as top lawyer of the United States. Who is this man, who has never been in a courtroom, to tell me how to act, or to tell my colleague trial lawyers how to act? Which he did. But quite apart from that, and his vendetta against Hoffa, I know of nothing Bobby Kennedy as Attorney General did that he could point to with pride.

PLAYBOY: How about his department's dedication to the enforcement of civil rights legislation?

BELL: His office did a tremendous and good job on civil rights; but in Jack Kennedy's Administration, could any Attorney General's office have done less?

PLAYBOY: What do you feel can be done to rectify the mockery of justice in Southern courts, which perennially exonerate whites charged with murdering Negroes?

BELL: These segregationist barbarians

--the ones who trigger and trigger the law of man, the law of God; they disgrace themselves and our country before the world. But this conspiracy of hate and bigotry won't last; its days are numbered. In practical terms, however, we can't change the state laws or the inbred prejudices that keep them in force. I'm afraid we must resign ourselves to the fact that these atrocities, and these travesties of justice, will continue until the white South learns to understand and respect the spirit as well as the letter of due process and equality before the law. It just takes time. Pretty soon all the subterfuges, tricks and deceptions designed to circumvent the civil rights laws will have been tried by the die-hards and eliminated by the Supreme Court. Then, and only then, will Negroes in the South begin to enjoy the fruits of true freedom.

PLAYBOY: Do you share the conservative view that the present Supreme Court, because of its trail-blazing decisions in civil rights, censorship, school prayer and the like, is "too liberal"? And do you agree with those who feel that it has begun to unrightfully usurp legislative authority?

BELL: What do you mean by "liberal" and "conservative"? If you mean that "liberals" are more concerned with human rights, and "conservatives", with property rights, I think that's as good a definition as any. According to that definition, the present Supreme Court is the most liberal we've ever had. But too liberal? No. As for assuming legislative authority, of course it has. But unrightfully? No. For good or for bad, our Supreme Court has without question become the second legislature in Washington. I say that not in criticism, only as something in the nature of things. I happen to think we have a great Supreme Court, the greatest decision-making Court we've ever had, the most humanitarian in our history. Earl Warren is a great administrator; he has integrity, ability. The individual justices are sincere and hard working; they try hard to be objective, to put country above personality; they're the best we've ever had. The Court has done the American people great justice in rendering the law consonant with the changing needs and increasing complexities of the contemporary world.

PLAYBOY: Since the turn of the century, many attempts at censorship of sexually explicit books and films have been made by the U. S. Post Office, the U. S. Customs Bureau, various state governments and scores of religious and citizens' censor boards. Almost all of these bans have been judicially overruled, some of them in historic decisions by the Supreme Court. With whom do you feel should ultimate authority rest for pas-

allegedly obscure creature.

BELL: With the public through the courts. If I were defending a so-called "dirty" book, I'd feel a jury of my peers fully qualified to judge its redeeming merits. Juries do a damned good soul-searching job that speaks for their community's collective morality. Let literary men, ministers, professors, the tolerant, the bigoted, the broad-minded and the narrow-minded all have at it in a jury room. The sparks of conflict will shed the light by which justice may be illuminated. Only a jury will arrive at a judgment that is the wish, the temper of the community—which I think should be the ultimate criterion of judgment.

PLAYBOY: How do you feel in general about the much-discussed revolution in sexual attitudes and practices that's taking place in America today?

BELL: I believe in the Constitution, the Bill of Rights, and sex, and not necessarily in that order. But sex has been here since the Garden of Eden and no overnight revolution in the sex relationship is going to accomplish anything good. Greater candor, yes; greater permissiveness, no. I can't believe that premarital and extramarital relations perse can lead to a fuller life or more enduring happiness. I'm certainly not Victorian, except in my office decor, and I've certainly seen enough of life as an able-bodied seaman, knocking around the world with Errol Flynn, and trying cases in every state; but I do not believe, in this particular area of human relationship, that lack of will power will achieve any greater degree of happiness. I will say, however, that I don't think we're more meretricious sexually than lecherous old grandpa. We've just brought sex a little more into the open. And that's all to the good.

PLAYBOY: You and Errol Flynn were close friends, weren't you?

BELL: Yes, we were. We met when I was retained to represent a sailor who had been accidentally harpooned in the foot by a guest on Errol's yacht, the Zaca. When I went down to Hollywood to question Errol and walked in wearing a white suit and a black Homburg, his eyes lit up. He had always been impressed with the histrionics of trial law, and I've always felt that I might have been an actor. After I'd taken his deposition, we had a most enjoyable legal tussle, and a friendship began. He was great company. He lived life to the fullest; he was up at all hours; he drank vodka before he got out of bed in the morning. And he had the Devil in him. He loved pixy tricks, and played more than his share of them. In a dresser drawer, I remember, Errol kept about 30 emerald-looking rings, which he'd give to girls, telling them with great feeling, "This belonged to my mother."

He and I also played great jokes on

each other one hot afternoon in Paris. Errol took all his clothes to be cool and lay down on his bed for a nap. I left him sleeping soundly and went downstairs to the hotel bar and sold tickets for five dollars apiece to about 20 women—Frenchwomen and tourists—whom I brought upstairs for a guided tour of Errol in the altogether. Well, we were all tiptoeing through the bedroom when some silly Frenchwoman began giggling and yelled "Fleeni! Fleeni!" and woke him up. Did he get sore!

This was in 1949. I had been in Rome on a business trip, and was about to leave for Tokyo when Errol called from Paris. He said, "Dear boy, you've got to come to Paris. They've got me over a barrel." I went, intending to stay two days, and stayed months. Errol was making a movie partially financed by the French government and there were plenty of complications on which he needed my help. We stayed about half the time on the Zaca, anchored off Nice. Errol would go down to the bilge, where he kept some gold ingots hidden, bring one back, row to shore with it, turn it in for currency—and we'd be off for a night at the casino.

In Paris, at the Belle Aurora, an exquisite little French restaurant, after we'd gotten up at noon, we'd sit from about one to four and have imaginary trials, drinking bottles of calvados. That's applejack made in Normandy country; it would chase white lightning out of business. We'd drink and invent legal cases, usually murders, which we tried on the spot. People would crowd outside in the street until they blocked it. I'd accuse Errol and examine him, then he would accuse me and examine me. We'd get almost to the point of blows.

In later years, back in this country, my family came to know Errol well. He sometimes stayed with us. But he wasn't well. My little son, Caesar, called him "a sick man"—the perception of children. My wife would plead with him to take it easier. He told her, "Look, I've done everything twice, why should I bother? If I had an attack, there wouldn't be anyone to give a damn." Right at the end, he was planning to play me in a film. It was about this time that he sent me galleys of *My Wicked, Wicked Ways*. I wasn't home when he telephoned, on his way to Vancouver to sell the Zaca; it was like selling his life. He told my wife, "Tell the guy I love him; just tell him that for me." Then, later—it was midnight—I was in bed at our Los Angeles home when Errol's valet telephoned and said, "He's gone."

PLAYBOY: You talk about him like brother.

BELL: I guess we were brothers, in a way—though I was an only child. Like I said, I'm wild, enthusiastic; I love people. I'm a Texaco, you see, born July 29, 1907.

PLAYBOY: In Sonoma, California, growing up?

BELLI: Until I reached college age, when I went off to the University of California in Berkeley. But I almost didn't make it. I was the valedictorian of my high school graduating class, but I had to sue the principal to get my diploma.

PLAYBOY: How did that happen?

BELLI: Well, I was brutally attacked the evening before graduation—by a huge bottle of whiskey. I was so sick the next day that I couldn't get to school to make my speech, and when the principal found out why, he withheld my diploma. He was adamant, so my father took me to see an old family friend, a judge. When the judge heard the story, he said, "My boy, you've been wronged!" And he hauled out of his desk a couple of writs, a replevin, a bench warrant, a couple of *subpoena duces tecum*, a *habeas corpus*, a *habeas diploma*, a handful of old bail bonds, and he stuck all of them together with notary public seals and red ribbon and he marched over to the school and served all of it on the principal. I got my diploma on the spot. Up to that day I had been thinking about being a doctor, but right then I knew the law was for me.

My father lost his money in the crash, so I had to work my way through college as a soda jerk, a summer farm hand and things like that. I even wrote off for free samples of things like soap and shaving cream and sold them to my fraternity brothers. After I graduated, I spent a year traveling around the world on merchant ships as an able-bodied seaman. Then I entered the University of California Boalt Hall Law School. I stood a lucky 13th in a class of 150.

In 1933, when I got my degree, I was lucky enough to get a job as a Government investigator, posing as an itinerant bum, moving around with the Okies. My name was supposed to be "Joe Bacigalupi." I was supposed to submit reports on what the Okies were talking about and what they wanted. I had a card with a special Los Angeles telephone number to call if I ever got in really bad trouble—not for just getting arrested or beaten up; it had to be really important. I never had to use it. One of my first deep impressions was watching Los Angeles deputy cops standing on the city line clubbing back poor Okies trying desperately to get into the city to get on relief rolls, or at least to get a meal. Eventually, I wrote a report that was used as the basis for migratory-worker relief in that area.

Moving out and about then, riding in and on and underneath freight cars, "bumming," standing in soup lines, sleeping in skid-row "jungles," I don't know how many times I got thrown out of town. It was about the Southwest

but I know that when I developed my deep, strong sympathy for the underdog and the outcast, and it's where I learned about the kangaroo courts in this country. Well, after that migratory hobo investigation job ended—Say, I seem to be telling my life story. Do you really want to hear it?

PLAYBOY: Certainly.

BELLI: All right, you asked for it. Well, I got desk space in a small San Francisco law firm. But nothing happened. I just sat there. Finally, in 1934, a well-known defense lawyer took me on for the lordly wage of \$25 a month. But nothing happened there either, so I managed to save \$20 and went down to Los Angeles looking for a better job. One big lawyer there who turned me down I later opposed in a case; I won my client a \$187,500 settlement. The guy could have hired me in 1935 and sent me to Palm Springs for the rest of my life at \$100 a week and still saved his client money. Now he tells people, "I recognized Belli as a comer the first time I saw him." Sure he did! I know ever since then, I've never refused to see a guy fresh from law school. You never can tell.

I finally learned to quit waiting for business to find me. If I was going to get any clients, I decided people would have to know I was around. I got the idea of spreading it around that I'd take, free of charge, any cases of criminals in lots of trouble. One of the first clients I found was Avilez, "the Black-Gloved Rapist." He had been tried, convicted and sentenced to a total of 400 years. For whatever it was worth, I got 200 years knocked off his sentence. He wrote me a thank-you note. After that, I got a number of other hopeless cases—one of them a convicted counterfeiter who had resumed printing the stuff right in San Quentin's print shop.

Although I didn't realize it at the time, the case that first showed me the thing that would later get me on my way was that of a young Negro convict named Ernie Smith. He had been indicted for murder for killing another convict, in a fight in the San Quentin prison yard. Smith told me he had done it in self-defense, that the other man was about to throw a knife at him. I couldn't believe it, but the captain of the guard confirmed for me that most of the convicts carried knives. He showed me a desk drawer full of over a hundred lethal-looking pigstickers, explaining, "We take away the big ones." Before the trial, I served a subpoena on the captain of the guard, ordering him to come to court with his drawer full of knives. I admitted into the evidence. Walking past the jury box with it, I was struck by a hell of a thought. My whole case, my argument to determine if Ernie Smith would live or die, was in that drawer. So I "accidentally" stumbled and dropped it, a hundred wicked

Well, that's background. I had a lot of different cases after that, all kinds. And I gradually built up a pretty good practice, at least enough to live on.

BELL: Mainly because when I entered practice, the average individual who had suffered a personal injury faced a pretty dismal financial-award prospect if he went to court. Well up into the 1900s, settlements were in the neighborhood of \$1100 for the loss of a leg, \$5500 for the loss of a male organ. Sometimes people who were even paralyzed with permanent spinal injuries would get simply *nothing*, perhaps on the basis of a "contributory negligence" claim by the defense. Some states had laws making \$10,000 the maximum allowable death award.

Well, I began to make a practice of showing 'demonstrative' evidence to juries: human skeletons, moving pictures, enlarged X rays, still pictures in color, infrared pictures, wooden scale models. When the jurors graphically *saw* the nature and extent of injuries, my clients began getting substantially increased awards. And when other personal-injury attorneys around San Francisco, then around California, caught on and began doing the same thing, the whole picture of awards began improving.

PLAYBOY: Still, any business—including the insurance companies—must make a profit to survive. Isn't it reasonable that they would resist personal-injury awards of often hundreds of thousands of dollars?

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Their cries that adequate awards threaten to bankrupt them are *nothing* alongside their shrill cries whenever someone suggests now and then that the state take over their business. Isn't it odd for someone claiming to be losing so much to scream so loudly against losing the opportunity to keep on losing money? No, the six-figure adequate awards I've pioneered are equitable, just and necessary. These awards are here to stay, and I think the trend is *further* upward. But I will guarantee you that awards to the personal-injury plaintiffs will never keep pace with the insurance companies' fantastic and mounting profits.

Let me ask you something: Except an adequate award, what else can be offered to the personal-injury victim? We have nothing that will make the permanently injured victim whole again, nothing that will let him walk without a limp, nothing but drugs to let him sleep without pain. For many, one day not even morphine any longer. Cases their frightful suffering, and the only alternative left is a cordotomy—the severing of the spinal cord to halt the dreadful journey of the pain impulses to the brain. Think about that the next time you see one of these propaganda pieces about the “high awards” that are “ruining” the country’s insurance companies. Think about those pitiful personal-injury victims who tempt one to say “They’d be better off dead.” But the law forbids them to choose death; they have no legal choice but to go on living—and suffering. Think about the double amputees, the “basket cases,” the traumatic psychotics, the paraplegics, the spinal-injury invalids, the blinded, the grotesquely burned and scarred. Think about the permanently immobilized

their lives to a wheel or a brace, or to the indignities of wet and bladder incontinence.

Let me give you an example of a typical case of mine and let you decide whether the award I won for my client was "too high" or not. He was a happy, redheaded kid, just back from the War. He had a wife, a child, a job, and then his life was ruined in an accident caused by the negligence of the San Francisco municipal railway. He suffered a crushed pelvis, and a rupture of the urethra at the juncture of the prostate gland. He will be impotent for the rest of his life. And every tenth day for the rest of his life he must endure a painful urethra catheterization, or his urethra will close, whereupon his bladder would burst. His hospital and doctor bills were over \$25,000 at the time of trial, and they will be at least \$2000 a year as long as he lives. Two years afterward, I saw that boy again, and what I had feared within myself had happened—his wife had divorced him, his home was gone; he had nothing left but the remainder of his award money. Would you swap places with that boy for the \$125,000 he was awarded? Or for a million dollars? Two million? Ten million? I think not.

Yet according to them, the noble, stalwart simon-pure insurance companies are being "victimized by fakers" for \$50,000 and \$100,000—just for having lost a lousy arm or leg! When I started winning this kind of award, they began sending out letters and buying expensive ads aimed at potential jurors in personal-injury cases: "Keep those awards low, or you'll force your automobile insurance to go up." Bushwa! Today, with personal-injury awards higher than ever before, insurance-company stocks are among the best market buys.

Anyway, when I won three verdicts for more than \$100,000 apiece in 1949 and 1950, I really began to draw fire from the insurance companies. "Belli is a Barnum!" they screamed. "The courtrooms are being turned into horror chambers!" But headway was being made everywhere. Asking not a cent of fee, I began lecturing all over the country—to law students, to bar associations, to groups of plaintiff lawyers. Sometimes my speaking in a state would start an immediate rise in personal-injury awards. An example of that is Mississippi, which was for many years one of this country's lowest-verdict states; soon after I addressed its State Bar Association in 1951, Mississippi awards rose sharply—to at least an equitable level.

Finally I decided that I would write a book of all that I thought was modern and just in trial procedures, in both criminal and civil law. It took me two years to write it; in those two years, I av-

ends, but finally I turned out the three volumes that were published in 1955, called *Modern Trials*. I'm happy to say that it's become something of a standard textbook in the field.

PLAYBOY: What about your Belli Seminars? Will you describe what they are and what they do?

BELLI: For the past 13 consecutive years, I and my associates have held these Belli Seminars in almost every state and major city in America, and they have been widely and enthusiastically attended and accepted by trial lawyers, law students and even some laymen. In them we teach in all phases of modern trial law, on civil and criminal, substantive and procedural law. These seminars have done a lot for the law, but not one has failed to draw criticism from some local member of the American Bar Association, some insurance lawyer, or some large law firm with a "business practice." They raise their old cry: My lectures are "illegal" or "unethical."

PLAYBOY: On what grounds?

BELLI: I'm teaching lawyers how to raise awards to injured people. I'm teaching them how to sue malpracticing doctors who refuse to testify and who condone the American Medical Association's conspiracy of silence. I'm teaching lawyers how to sue the reluctant insurance company and how to serve the process evader. Among the politicians and the fat cats of the A. B. A. hierarchy, needless to say, none of this law for the benefit of the little man is particularly popular—though social-circumventing A. B. A. presidents are constantly trumpeting on the majestic subject "The Defense of Unpopular Causes," and proclaiming that it's every lawyer's duty to give a courageous representation of his unfortunate brother, however unpopular he is, however heinous his crime. These are the same great vocal defenders who whimper, from behind their corporate desks, when some poor unfortunate's unpopular case has to be tried, "Sure, he's entitled to the best defense, but you defend him, I can't afford to!" Even worse, these preachers of lofty sentiments are the quickest to impose guilt by association on the lawyer of the heinous-crime client. And these same A. B. A. presidents are approving the abolition of law-school courses that would teach the student lawyer how to try an unpopular case! If we continue diminishing the hours devoted to criminal law in our law schools and increasing those devoted to taxation, accountancy and the like, we may as well move over into the business-administration schools. Then the few of us remaining criminal lawyers and general trial men may as well be displayed in the monkey house where the public can stare at

odd and nearly extinct species attracted to the zoo by the A. B. A. presidents' public barking against us.

PLAYBOY: For a member of a nearly extinct species, you seem to be making a pretty good living. It's been reported that you earn more than \$300,000 a year from the "adequate awards" you win for your clients.

BELLI: Every penny I get, I earn! Do you think all a lawyer has to do is pick up a phone and get an insurance company to settle for \$100,000 and then bite off a third of it? To start with, I'm gambling when I take a case. Especially when it's a large award to be sought, the layman has no dream of the amounts of time and talent and money that the plaintiff's lawyer must invest in preparing the best presentation possible. If we get to court and a jury votes against my client, I've lost all I advanced—in cash as well as effort. I don't just sit in my office and work my cases. Our firm here, we aren't just some fat-ass corporation of lawyers sitting around thinking about new ways to screw the Government out of taxes; we are a firm of concerned and committed people representing men and women who need help. We care. It's the most precious thing we've got here, our *feeling* for the people who come here wanting help. I'm working my cases in the shower, when I'm trying to sleep and can't, when I'm on the john, when I'm driving my car, when I'm sitting in those late-night planes. If I win the adequate award for my client, I feel I *deserve* the one-third I take for the work that got the award. Most personal-injury lawyers take a bigger cut than I do—many of them 40 and 50 percent.

PLAYBOY: Still, you've managed to amass a sizable fortune from the proceeds of such cases. How much would you say you're worth today?

BELLI: I could cash out today with—well, look, let's put it this way: I feel that after he makes a million dollars a guy should start counting his blessings instead of money. I'm counting my blessings.

PLAYBOY: Your remarkable success in winning six-figure awards, and earning five-figure fees, in medical-malpractice cases has made your name a red flag to the American Medical Association as well as to the nation's insurance companies. What's your brief against the medical profession?

BELLI: George Bernard Shaw wrote it better than I could say it, in *The Doctor's Dilemma*: "We're a conspiracy, not a profession. . . . Every doctor will allow a colleague to decimate a whole countryside sooner than violate the bond of professional etiquette by giving him away." The same as with chicken-hearted, fat-ass lawyers, my complaint isn't against the individual doctors. 99 per cent of

them are great . . . s. doing their best and working hard. But here again, the individual doctor has a far higher code of ethics than when he acts in convention, through his association. With lawyers and doctors, it seems there's some sort of collective amorality, a callous mob psychology, that takes over the individual practitioner's ethics and honesty. Doctors as a group condone malpractice acts that individually they wouldn't dream of sanctioning. The individual doctor is so busy treating the sick and performing operations that he's forfeited the administration of his national organization to a bunch of dirty sons of bitches who try, because of their own shortcomings in their profession, to make him conform to what *they* think medicine should be. They tell him not to publicly criticize his fellow practitioners; they have usurped his conscience.

PLAYBOY: Do you think it's reasonable to expect a doctor to jeopardize his professional standing by testifying against a colleague?

BELLI: Look, every doctor is licensed by us, the public, to practice. His training, his talent, his title, is given to him in trust, by society. To whom, morally, does he owe more—to mankind, or to the A.M.A. and the insurance companies who underwrite his practice? Think of yourself as a victim of some doctor who was simply careless. Think of your being maimed, maybe irreparably, because of his bungling and of your being unable to get another doctor to testify against a wrong that he can plainly see.

My first malpractice case was my eye opener to this incredible conspiracy. I was retained to sue a doctor who had prescribed enemas and cathartics for a young man who was suffering classic *appendicitis* symptoms. The boy's cramping worsened, the doctor sent him to a hospital where he let him wait; the appendix burst and the boy died. Not only was the treatment patently wrong, but later I had good reason to believe that the doctor was intoxicated when he made the house call. Are you ready? I *lost* that case! Not one of this drunken doctor's colleagues would testify in court to what he had obviously done. Worse, five doctors testified in his *behalf*, including the head of one of our largest university hospitals. Five years later, that defendant doctor killed himself; he had become a dope addict and a habitual drunkard.

Twenty-five years have passed since then, but it's *still* next to impossible to get one doctor to testify against another, and it doesn't matter *how* flagrant the case is. Good old Doc Freblish may have come into the operating room dead drunk, carrying a rusty knife and wearing an old pair of overalls, but as long as he's a member in good standing or

testify against him. You force a doctor to take the stand as a witness, but all you can get out of him is a grudging acknowledgment that good old Doc Frebush may have forgotten to wash his hands before taking out Mrs. Smith's uterus instead of her tonsils, and that he may have absent-mindedly left a sponge in her abdomen, but that this "could happen to any of us," and certainly couldn't be considered negligent.

PLAYBOY: Aren't you exaggerating a bit?

BELLI: You think so? Listen, an entire book has been written about things left in patients—not just sponges and forceps, but rings, wrist watches, even eyeglasses, for God's sake. Imagine: "What time is it, nurse? I've lost my watch." "Just a minute, doctor, I'll put on my glasses. Oops! Where are my glasses?"

Now I have personal knowledge that most doctors privately do deplore this sort of thing. A number have told me privately of incompetent colleagues generally regarded as disgraces to their profession. "But Mel," they say, "don't ask me to testify against him. My insurance would be canceled." I can't really say I blame them; if you ever do actually get a doctor to take the stand and testify against another doctor's flagrant and perhaps tragic malpractice, he's regarded as a "stoolie" and will be ostracized for life. Score another victory for the conspiracy. This is the sort of thing I'm trying to fight. Is it any wonder my name is anathema to these people?

But you know, I take pride in the fact that there's an instructor in one San Francisco medical school who asks his students, "What man has done the most for medicine in the past century?" They name Pasteur, Lister. He says, "No—Melvin Belli, because the son of a bitch has made medical men conscientious about their courtroom testimony, and has made lawyers learn medicine."

PLAYBOY: Is a background in medicine essential for a lawyer?

BELLI: Absolutely. In our courts today, three fourths of the criminal and civil cases involve some understanding of some aspect of medicine and medical practice. If a general trial lawyer doesn't cultivate for himself something beyond a layman's knowledge of medical fields, he cuts himself off from essential information, and he deprives his client of an essential service. Every law student I meet, if he indicates to me that he wants to do something more worth while with himself than to be a joystick for some insurance company, or to keep some corporation's legal skirts clean, I advise him to arrange not only to see a complete autopsy but to learn firsthand about surgical procedures of every sort, to sit in on skin grafts, bone grafts, plastic surgery. I advise him to learn the functions of surgical instruments, to familiarize himself with hospital para-

phernalia and procedures.

Let me tell you a very simple case of where medical knowledge paid off for me, among the hundreds and hundreds of times that it has. This was as simple as merely knowing a word, a medical term, when I heard it. I was cross-examining a doctor who contemptuously attributed several of my plaintiff's complaints to "amenorrhea." When I got up to present my argument to the jury, I had a medical dictionary in my hand. I read aloud the meaning of that word; it wasn't something with which my male client was likely to be afflicted. It means "irregular menstruation." My client won a handsome award. By now I probably know as much medicine as I do law. Here in my office I've collected a bigger medical library than is owned by probably any doctor in San Francisco. It rivals my law library—in which 29 of the books are my own, by the way.

PLAYBOY: How do you find the time to study medicine, write books, give lectures, teach law courses—and still maintain your overflowing calendar of personal-injury cases?

BELLI: Well, somehow you manage to get done what you feel has to be done—especially if you don't see anybody else doing it. And besides, I love my work. But I sometimes wish I could be a werewolf, with two lives—the life I have now and another life. I yearn for the quietude and the thoroughness of dealing with only a few cases. The way it is now, I have to budget my time like a whore when the fleet's in. This morning I've been on the telephone, about different cases, with Canada, New York City, Pittsburgh, The Virgin Islands, and I've exchanged some cables with Hong Kong. I need time to work on my autobiography. I've been collecting stuff for 15 years. It's going to be big. And it's really going to lay into all those bastards.

PLAYBOY: Who do you mean by "all those bastards"?

BELLI: You know: Bobby Kennedy, J. Edgar, the A. M. A., the A. B. A., the insurance companies, ad infinitum.

PLAYBOY: Don't you sometimes feel that you've earned a few more enemies than you can afford?

BELLI: Maybe so. Maybe I should have better sense than to take them all on headfirst and simultaneously. Because you know what I'm scared of in this office today? The big frame-up! I'm always telling myself I have to watch my tongue. My fault is that of Adlai Stevenson. He likes to make cracks, too. It cost him the Presidency. But whatever the cost, I've got to fight for what I think is right—and against what I think is desperately wrong—or I wouldn't think much of myself as a human being.

I've told you how in my early days I began to acquire my bitterness against the guy with a Billy, the entrenched powers. We see injustices all around us.

and we all want to ~~out~~—but how many of us dare? We see Big Brother's steady encroachment because we don't. I know we have to give up some freedom to have some safety, some order in society, but I simply cannot tolerate very much of Big Brother—those who claim to know what's better for you than you do.

I don't believe that the average person, informed people included, really realizes the swiftly increasing degree to which our country is being run and controlled by an *unseen* government—not only by the FBI and the CIA and the A. M. A. and the A. B. A.—but by foundations, banks, ad agencies, insurance companies, trust companies and their monolithic ilk. In insidious ways, they are prescribing our moral codes, limiting our freedoms. Their cold-blooded business ethics are becoming universally, and passively, accepted.

The A. B. A. is at war with me—like the A. M. A. and the insurance companies—because I'm at war with those who abet evil by keeping silent when they see wrongs being perpetrated and perpetuated by the greed, malice and deception of these self-seeking institutions. I'm under attack because I believe in *crying out* against injustice. God knows, I've endured more than my share of slings and arrows: "Belli's a nut, a charlatan, a publicity seeker, an egomaniac!" Sure I'm flamboyant. I can afford to be, because I'm a damn good lawyer. You've got to ring the bell to get the people into the temple. But my brand of nonconformism is so offbeat they don't know what to label it. About the only thing they haven't tagged me is "Communist." It's a wise thing they don't; I'd sue. This, mind you, after all I've done for the law. I've tried more cases, I've had more judgments affirmed on appeal, I've made more new law than probably any lawyer, group or firm in the past 15 or 20 years. After I'm gone, they'll be teaching courses about Belli. But the pack is out in full cry salivating over me. So be it. If I'm going to go down, I'm going to go down fighting.

PLAYBOY: Is your plight as serious as all that?

BELLI: You bet it is. And things have been coming to a head since the end of the Ruby trial. I was absolutely awed by the speed and the ruthless efficiency with which Dallas' multimillionaires retaliated against me for my uncharitable remarks to the press about their fair city. You've heard that money talks? Listen, money *screams*! By the time I got back to San Francisco I found that insurance policies of mine had been canceled without explanation; a book publisher had backed out on publishing *Black Date: Dallas*, the title I had planned for a book; mortgages had been foreclosed; my name had been withdrawn from

official lists; my lawyers; my credit was frozen; some appearances and lectures were canceled. I'm not being paranoid when I say that those bastards in Texas were behind the whole thing. Why, you wouldn't believe some of the mail I got postmarked Texas. Imagine opening a letter addressed to you as "Dear Rec-tum." Heart-warming!

The best part of it, though, is their campaign—with the cooperation of the heads of the A. B. A., who have been waiting for an excuse—to have me kicked out of the American Bar Association. After the Ruby trial, I was notified that I'd be given a "trial," investigating my "conduct of the case"—though publicly I'd already been convicted by the A. B. A. "grievance committee." I was notified that my trial would be held in the Statler Hotel in Dallas. I replied that I wasn't about to come to Dallas. Out of curiosity I asked them if they intended for it to be held on the hotel's top floor with my seat next to the open window.

I was next peremptorily notified that my trial will be held in San Francisco instead. That suited me fine. Then they announced they had decided to take depositions against me. I asked that the depositions be delayed until a date when I could be present. Denied. I asked by what "rules of evidence" was I to be tried. No reply. I asked for the privilege of taking depositions on my own behalf. Denied. Next came an indefinite postponement of my trial. So I not only don't know *how* I'll be tried, or for *what* I'll be tried; I don't know *when* I'll be tried either.

PLAYBOY: Can you continue practicing if you're ejected from the A. B. A.?

BELLI: I don't have to belong to the American Bar Association to practice. I don't even have to belong to the A. B. A. to take books out of their library. To practice, I just have to belong to my own state bar. As Bob Considine said, "Being kicked out of the American Bar Association is like being drummed out of the Book-of-the-Month Club." I'd cry all the way to the bank.

PLAYBOY: Suppose you were disbarred also by the California state bar.

BELLI: Well, I've always got my solid-gold Honorary Life Membership card in the Bartenders' Union. Or maybe I could get the Coast Guard to renew my able-bodied-seaman papers. I think I might write, too. Back when I first started, I might as easily have gone into steel-working, or teaching, or exploring, or doctoring, instead of law—and I bet there are a lot of people who wish I had. But you know, it's hard for me even think about having any other career than law. The law is my muse. She has been wooing been a jealous mistress, but in courting her these 30 years has had an exhilarating time.



"Look at the creeps who savor capital punishment; you get the feeling they want to be the ones to pull the switch. Dick Nixon is all out for it; I can't think of a better argument for its abolition."

"I'm for hire. I'll defend anyone who comes to me—even the president of the Bar Association suing a guy for accusing him of being in favor of civil rights, due process of law and against wire tapping."

"I've endured my share of slings. 'Belli's a nut, a charlatan, an egomaniac.' Sure, I'm flamboyant; I can afford to be—I'm a damn good lawyer. You've got to ring the bell to get the people into the ten p.c."

DUON H. MILLER
4551 PONCE DE LEON BOULEVARD • CORAL GABLES, FLORIDA

July 27, 1965

Mr. Melvin Belli
Attorney at Law
San Francisco, California

Mr. Belli:

Your article in today's MIAMI NEWS criticizing J. Edgar Hoover is one of the most disgusting articles I have ever read. I think you owe him an apology, but if I were Mr. Hoover, I wouldn't accept it from a man like you.

I happened to see the program on Television in which you appeared, and right then I knew you were a man I didn't care to know personally.

When my son was in high school, I told him that when he went to the university, I wanted him to study something that he would enjoy as a life's work, but I asked him one favor... not to study medicine or law! You see, I wanted him to be in something legitimate. He studied Chemistry and graduated with high honors.

I, and millions of people, respect and admire J. Edgar Hoover and consider him as one of the most respectable men this Government ever had and truly, truly a marvelous man.

To have some pseudo-monkey like you come along and criticize him is disgusting as Hell!

Duon H. Miller

8 AUG 4 1965

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Mr. Tele. Room
Miss Holmes
Miss Gandy

8/3/65
McCoy/um

Duon H. Miller

XP. PROC.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6-19-88 BY SP1AP/150m

August 3, 1965

REC 33

Mr. Duon H. Miller
4551 Ponce De Leon Boulevard
Coral Gables, Florida

Dear Mr. Miller:

The copy of your letter of July 27th addressed to Melvin Belli was received during Mr. Hoover's absence. You may be certain it will be brought to his attention upon his return.

I know Mr. Hoover would want me to thank you for your complimentary remarks.

Sincerely yours,

Helen W. Gandy
Secretary

MAILED 7
AUG - 3 1965
COMM-FBI

NOTE: Bufiles reflect limited cordial correspondence with Miller prior to 1955;

In view of the tenor of his current letter in which he speaks very deprecatorily of the legal and medicine professions, it is felt that the above letter over Miss Gandy's signature is warranted.

DFC:cms
(3)

ALL INFORMATION CONTAINED

6-13-80

SP10041 EBR

AUG 17 1965

TELETYPE UNIT

Hon. J. Edgar Hoover, Director,
United States Dept. of Justice,
Washington, D. C. 20535.

1711 N. ...
Miami, Fla. 33165
Aug 1, 1965.

0 Dear Mr. Hoover:-

1
2
3 Thanks for the requested copy, "F.B.I. Appropriation 1966".
4
5 The Miami Herald of July 27th 1965 page 10A had an article
6 about Attorney Melvin Belli's opinions, which I promptly answered
7 with "A letter to the Editor". They printed ~~my points~~ some of it
8 three days later. I phoned the Editor as soon as I had
9 misprinted words, and their Mr. Dance said "No one will see
10 it."
11
12 MELVIN BELL

13
14 ③ The Miami News of July 27, 1965 page 1B had a similar
15 smear article, which I answered, part of which was printed
16 July 30, 1965 page 6A.

17
18 Personally I think Att. Belli is off his rocker, as he
19 since gone on record as being in favor of transparently cl
20 females, and went to the nearby town of Dania to represent
21 them, just in case the police there stopped the show.

22
23 Kindest regards to you and your very able staff.

24
25 Very truly,
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REC- 56
EX 105

b7(C)

2 AUG 3 1965

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ENCLOSURE

CORRESPONDENCE

Edgar Hoover Fascist, Says Criminal Lawyer Belli

By JOHN McDERMOTT
Herald Staff Writer

Melvin M. Belli called J. Edgar Hoover "an ideological fascist" Monday during an address at Miami Beach. He also took a chop at U.S. Sen. Robert F. Kennedy.

"I don't like Edgar Hoover," declared the San Francisco attorney as he opened his remarks to the newly formed Criminal Law Section of the American Trial Lawyers in convention at the Fontainebleau Hotel.

Belli's observations came as he defended the American court system and particularly the U.S. Supreme Court against charges that the courts tend to "coddle" criminals.

He said one of the reasons he doesn't like Hoover is that he has designedly, through his high-powered public relations organization, created such an image of himself that even honest American politicians are un-American in their fear of him and afraid to criticize him even though they know he is an ideological fascist.

Belli went on to say, however, that the principal reason he dislikes Hoover "and his embittered far-rightwingers is because of their snide and surreptitious criticism of the U.S. Supreme Court."

What the courts are doing, said Belli, is protecting the rights of the accused regardless of who they are.

He said Hoover and his "adept public relations men" confuse U.S. common law with French civil law "where practically, an accused man is presumed to be guilty until proved otherwise."

As for a lawyer seeking loopholes to keep a man from jail, this is a duty which every attorney must assume in searching for whatever last ditch "technicalities."

Belli said that he has seen these same loopholes and technicalities save the innocent from the death chamber as well as, in some cases the guilty.

"I subscribe to the necessity of a legal system that can boast 'better let 99 guilty go free than convict one innocent person,'" he said.



Melvin Belli at Convention
raps Bobby Kennedy

He said that a criminal lawyer has the duty to seek loopholes just as much as it is the job of a corporation attorney to seek technicalities by which his clients can avoid payments of taxes.

Belli hit at Kennedy, the junior senator from New York, and former U.S. attorney general for advocating the use of wire tapping in the apprehension of criminals.

"Bobby Kennedy and Mr. Hoover and their strange bedfellows in this incidence,

the forces of the far right want to tap my telephone," he said.

"They want to know what I am saying, therefore, what I am thinking. I'm not a criminal. I've got nothing to hide."

Belli said once his phone is tapped then "someone" will not be satisfied with the exposure of his innermost thoughts but will also want to "assist me in my thinking and tell me how I should think."

Belli said that the Supreme Court in recent years has been fulfilling its highest duty by protecting the individual personal rights of all.

He warned that paralleling the growth of federalism is a potential danger of a police state resulting from better communications and scientific crime prevention facilities.

ties such as laboratories and radios.

Belli quoted Hoover as saying at Chicago in 1963 that justice has nothing to do with expediency. "The FBI will continue to be objective regardless of pressure groups which try to use the FBI to attain their own selfish aims to the detriment of our people as a whole."

Belli concluded by saying that there is no need to change the so-called "criminal laws." He said that the crime laws could be preserved and the legal system for individuals.

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DATE 6-11-88 BY SP4AP/100m

105-4916
ENCLOSURE

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The Miami Herald

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JAMES L. KNIGHT, President

LEE HILLS, Executive Editor

ALVAH H. CHAPMAN Jr., General Manager

DON SHOEMAKER Editor
GEORGE BEEBE Managing Editor
JOHN D. PENNEKAMP Associate Editor
ARTHUR J. GUCKER Business Manager

Published Daily at 1 Herald Plaza, Miami, Florida 33101

6-A

Friday, July 30, 1965

right bottom
Editorials

(2) right bottom

99 Guilty Men Shouldn't Go Free

I was impressed with Attorney Belli's statement that he "subscribes to the necessity of a legal system that can boast 'better let 99 guilty go free than convict one innocent person.'"

I would subscribe to no such system. As humans we err, but we needn't be so proud of our errors as this.

I propose that Mr. Belli live in the neighborhood where the 99 released guilty men reside.

Rather, I will work toward a system that, although through some ghastly miscarriage of justice an occasional innocent person becomes a martyr to law enforcement; we do not become so permissive that the rights of the accused are more sacred than the rights of the injured.

At present I am willing to risk the chance of a conviction when innocent. Is Mr. Belli and family willing to risk residing in the neighborhood with the 99 released criminals?

JOHN MARTIN

Use Strong Rope In The 'Loopholes'

Your staff writer, John McDermott, reports the likes and dislikes of Attorney Melvin Belli. If the implications and character assassination were not so serious, they'd be good for an old-fashioned "Belli laugh," but how a man with the intellect he is supposed to possess can brand J. Edgar Hoover as "an ideological fascist" and a "snide surreptitious citizen" of the U.S. Supreme Court, is beyond a loyal American's way of thinking.

If criminal lawyers were more concerned in placing the neck of those guilty in a "loophole," being sure it's a strong rope, instead of, as he puts it, "seeking loopholes to keep a man from jail," they'd do a far greater service. Wayward juveniles, hardened criminals, reporters and the like would have more respect for the law and the wordage, "Crime does not pay."

Anytime a volunteer is needed to replace an innocent convicted person, and let 99 criminals go free, just remind him that I'll be the first volunteer.

ED A. KRANZUSCH

1. I write criticizer

2. " " repeaters

1. I wrote criticizer
2. " " repeaters

105-11865
ENCLOSURE 27

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answered 7/27/65
my answer printed
7/30/65 (3) left bottom

bottom page (left.)
answered 7-27-65
Sports News
my answer
brd Game
printed 7-30-65
classified
(3) left bottom

THE MIAMI NEWS

Local Front Page

Miami, Fla., Tuesday, July 27, 1965

FBI's Hoover A Fascist, Lawyer Belli Says

By MARTY SCHRAM

Reporter for The Miami News

"I don't like Edgar Hoover
and I have no use for Dick
Tracy either."

Speaking was a silver-haired,
movie star-type with Goldwater
glasses. Flamboyant trial law-
yer Melvin Belli was getting his
well-known dander up over
charges that courts are coddling
criminals.

Belli — former attorney for
Jack Ruby, murderer of Lee
Harvey Oswald — bristles at
the slightest suggestion that
criminals are coddled by the
law.

"It's a slur on the American
Constitution," he said here.
"And J. Edgar Hoover is con-
stantly mouthing that slander-
ing 'coddling' charge and Dick
Tracy does it too — at least once
a week."

Belli lectured 2,500 colleagues
yesterday at the American
Trial Lawyers convention at
the Fontainebleau Hotel.

The constitutional guarantees
were written to protect the in-
nocent — not convict the guilty,
argued Belli.



MELVIN BELLI

"Over the years, I've seen
some flagrantly guilty go free
... but I've also seen these
same 'loopholes' and 'technical-
ities' of the law save the inno-
cent who otherwise would have
perished."

"Better to let 99 guilty go free
than convict one innocent per-
son."

Belli called FBI Chief Hoover
an "ideological fascist" who has
created a God-like image of him-
self through his "high-powered
public relations organization."

"The main reason I dislike
Mr. Hoover and his embittered
far-rightwingers is because of
their snide and surreptitious

criticism of the United States
Supreme Court," said Belli.

The attorney then pointed out
that both Hoover and Sen. Rob-
ert Kennedy (D-N.Y.) have ad-
vocated allowing wire-tapping
evidence in the courtroom.

"But I'm just Victorian —
and legal — enough to believe
that my home is still my cas-
tle," countered Belli.

And he added:

"I've had my phone tapped
since I first took on J. Edgar
Hoover a year ago. And Los
Angeles Police Chief (William)
Parker is building a dossier on
me. It's like something out of
Hitler's storm troopers."

The 57-year-old attorney ("I'll
be 58 Thursday") is co-counsel
in a local case, where three
Dania barmaids are charged
with indecent exposure. The
girls served drinks wearing
nothing but pasties above the
waistline. (Belli recently won
a similar case in his home-
town San Francisco.)

"It's just another point of
law to me," said Belli. "It's
all a matter of censorship. And
I think it should be up to the
individuals to decide what is
bad taste in their own minds."

Section B

- Comics
- Star Gazer
- McMenken

705-11986 ENCLOSURE

27

THE MIAMI NEWS

The Best Newspaper Under The Sun

- Pulitzer Prize For International Reporting In 1963
- Pulitzer Prize For National Reporting In 1959
- Pulitzer Prize For Public Service In 1939

James M. Cox, Jr.
Publisher and President

Daniel J. Mahoney, Jr.
Vice-President

William C. Baggs
Editor

Luckett Yawn, Jr.
General Manager

Clarke Ash
Associate Editor

C. Edward Pierce
Managing Editor

6A

Friday, July 30, 1965

70th Year, No. 42

Belli Bugs Reader

To The Editor:

I read reporter Marty Schram's article on the interview of lawyer Marvin Belli. I'll never understand why your paper constantly uses sensational headlines, and why the added dig about Goldwater glasses? Letters from readers are so shortened as to lose original intent or meaning, but in this article mention is made three times to "criminal coddling charges."

J. Edgar Hoover and Senator Robert Kennedy's idea of wire-tapping or any other method to catch law violators is sound. An innocent person has nothing to fear from a "stop and frisk" law or finger print recording or wire tapping. Lawyer Belli's idea of "Victorian and legal belief in his home being his castle" may find out too late it's surrounded by an unbridged moat of fire.



BELLI

ED A. KRANZUSCH, Miami

105-49865

ENCLOSURE



—Herald Staff Photo by JOE LIPPINCOTT

Like Old Times in California—Almost
... Belli chuckles as go-go girl gyrates

Belli's a Witness At Peek-a-Go-Go

By MARTHA HALL
Of Our Broward Bureau

DANIA — Melvin Belli came to town to show his friends the girl show. And the lawyers responded "Bravo."

As opposed, that is, to "Take it off," which once echoed through the Aloha Club. Now the Go-Go Aloha Club.

anyhow since Belli and company were in town for the Florida premiere of the closest-thing-to-naked—but-not-really in a go-go dancing.



with Jules Gillette

have the most complete stock of men's suits in all Florida. You know, getting a floor on Ed Sullivan but not for Jules Gillette's never jug prices.

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DATE 8-18-88 BY SP-127/SM

105-12986

August 6, 1965

105-49865-27
[REDACTED]
Miami, Florida 33168

Dear [REDACTED]

I received your letter of August 1st, with enclosures, and want to thank you for your thoughtfulness in writing as well as your kind sentiments. I can assure you all of us in the FBI will strive to merit your continued approval.

It was certainly good of you to write as you did to "The Miami Herald" and "The Miami News." I deeply appreciate the support you expressed in those communications.

Sincerely yours,

J. Edgar Hoover

NOTE: Correspondent is not identifiable in Bufiles.

DFC:klm (3)

MAILED 7

AUG - 6 1965

COMM-FBI

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

51 AUG 18 1965

MAIL ROOM ☐

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DATE 6-18-80 BY SP-7

REC'D-READING ROOM
FBI

AUG 6 2 31 PM '65

Aug. 2, 1965

Mr. J. Edgar Hoover,
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover:

Enclosed is a clipping from Miami Herald
of July 27, 1965 regarding an attack on you by "lawyer-?"
Bellis. Since Pres. Kennedy's death I have seen this name
in print quite often and each time I have less and less
respect ~~for~~ for him. But this is about the LOWEST
level I have seen him reach. I would think any Bar Association
of which he may be a member, would throw him out for this
scurrilous attack.

I have not noticed any reply by you and am glad for
that. There is an old saying--"Never get into a fight with
a skunk because, even if you win, you will end up smelling
of skunk"--I do not know whether he came from that family,
and do not imply that he did, but the saying seems appropriate.

There is nothing you say publicly which I do not read.
What we need right now is several thousand more J. Edgar Hoovers-
or at least people with the same degree of Americanism.

To me our country seems to be heading into some
rough going--with all the lawlessness that is going on and
increasing day by day.

I am a retired graduate engineer with a very broad
experience and in general good health. Have spent about half of
some 25 years in South and Central America and speak and write
Spanish fairly well. I will be 75 this coming December but
feel I might do something more for the U.S.A. Am already
active in what I call "Civic Policitis" and am trying to help
in that way.

Have you ever considered enrolling a group of
retired "Senior Citizens" to do part time work for the FBI
as special investigators, observers, or anything that might help
carry out your ideas? I think I might volunteer to work
4-5 days a week during 9-10 months a year for \$1 per month
plus out of pocket & expenses. Is this a crazy idea? If so
in what other way might I help the rising disrespect for law
and order?

Sincerely,

67C
6-18-80 BY Sp2TAP/CLM

EXP. PROC.
35 AUG 6 1965

FBI's Hoover a 'Fascist,' Says Criminal Lawyer Belli

By JOHN McDERMOTT
Herald Staff Writer

Melvin M. Belli called J. Edgar Hoover "an ideological fascist" Monday during an address at Miami Beach. He also took a chop at U.S. Sen. Robert F. Kennedy.

"I don't like Edgar Hoover," declared the San Francisco attorney as he opened his remarks to the newly formed Criminal Law Section of the American Trial Lawyers in convention at the Fontainebleau Hotel.

Belli's observations came as he defended the American court system and particularly the U.S. Supreme Court against charges that the courts tend to "coddle" criminals.

He said one of the reasons he doesn't like Hoover is that "he has designedly, through his high-powered public relations organization, created such an image of himself that even honest American politicians are un-American in their fear of him and afraid to criticize him even though they know he is an ideological fascist."

Belli went on to say, however, that the principal reason he dislikes Hoover "and his embittered far-rightwingers is because of their snide and surreptitious criticism of the U.S. Supreme Court."

What the courts are doing, said Belli, is protecting the rights of the accused regardless of who they are.

He said Hoover and his "adept public relations men" confuse U.S. common law with French civil law "where practically, an accused man is presumed to be guilty until proved otherwise."

As for a lawyer seeking loopholes to keep a man from jail, this is a duty which every attorney must assume in searching for whatever last ditch "technicalities."

Belli said that he has seen these same loopholes and technicalities save the innocent from the death chamber as well as, in some cases, the guilty.

"I subscribe to the necessity of a legal system that can handle better but 99 mil-



Melvin Belli at Convention

... raps Bobby Kennedy, too

the forces of the far right, want to tap my telephone," he said.

"They want to know what I am saying, therefore, what I am thinking. I'm not a criminal. I've got nothing to hide."

Belli said once his phone is tapped then "someone" will not be satisfied with the exposure of his innermost thoughts but will also want to "assist me in my thinking and tell me how I should think."

Belli said that the Supreme Court in recent years has been fulfilling its highest duty by protecting the individual personal rights of all.

He warned that paralleling the growth of federalism is potential danger of a police state resulting from better communications and scientific crime prevention facilities

such as laboratories and radios.

Belli quoted Hoover as saying at Chicago in 1963 that justice has nothing to do with expediency. "the FBI will continue to be objective regardless of pressure groups which try to use the FBI to attain their own selfish aims to the detriment of our people as a whole."

Belli concluded by saying that there is no need to change the so-called "coddling laws". He said that the crime factor should be to preserve the freedom and the legal rights of the individual.

p18m

August 10, 1965

REC-39

105-41205-28

REC'D - READING ROOM
F.B.I.
AUG 10 3 34 PM '65

Dear [REDACTED]

Your letter of August 2nd, with enclosure, has been received, and I want you to know how much your support and comments mean to me.

Your offer of assistance is indeed appreciated; however, there is no way in which I can authorize you to act in any capacity for the FBI. All citizens can be of assistance by referring to proper authorities information they have of a criminal or subversive nature. If you receive such information, please feel free to contact representatives of our office located at 3801 Biscayne Boulevard, Miami, Florida 33137.

MAILED 2

AUG 10 1965

COMM-FBI

Sincerely yours,

J. Edgar Hoover

1 - Miami - Enclosures (2)

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DATE 6-18-80 BY SP2 TJP/CM

NOTE: Bureau files reflect limited cordial correspondence with [REDACTED]

SAW:cms

(4)

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

53 AUG 19 1965

MAIL ROOM

TELETYPE UNIT

LAW OFFICES
FRATES FAY & FLOYD
TWELFTH FLOOR CONCORD BUILDING

MIAMI, FLORIDA 33130

July 28, 1965

WILLIAM B. FRATES

PETER FAY

ROBERT FLOYD

KERMIT G. KINDRED

LARRY S. STEWART

MALCOLM H. FROMBERG

TELEPHONE 7-0241

SPECIAL DELIVERY

Melvin Belli, Esquire
Fontainebleau Hotel
4441 Collins Avenue
Miami Beach, Florida

Dear Mr. Belli:

As President-Elect of the Society of Former FBI Agents of this country, I read with interest the news articles appearing in the July 27, 1965 editions of THE MIAMI HERALD and THE MIAMI NEWS, wherein you are quoted in your remarks to the American Trial Lawyers Association as referring to J. Edgar Hoover, the FBI Director, as an "ideological fascist." The term "fascist" is obviously meant to connote a totalitarian, all-powerful approach in government and is often loosely used when a "shotgun" charge, without specific facts, is made.

As a high public official, Mr. Hoover is certainly not above criticism, and I do not in any way imply that you should be restrained in your right to criticize. However, it is abundantly apparent to me that you have not followed his public statements and the influence he has exerted throughout his long career as a law enforcement official when you term him a "fascist," regardless of the description. Although in a position to abuse the power vested in him and the FBI, he has steadfastly and adamantly refused and discouraged every attempt made to transpose the FBI into a national police force. A less courageous man imbued with seeking additional power would long ago have allowed the FBI to be an American Gestapo or OGPU. Each time he appears before the Congress he admonishes that body of the danger of creating a

ENCLOSURE

107

REC-70

105-49665

AUG 10 1965

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DATE 6-12-80 BY SP2HPL/SP3

Melvin Belli, Esquire

July 23, 1965

Page No. 2

state by the passage of ill-advised legislation which would deprive our citizens of their rights as free Americans. In his public statements he has thwarted each attempt over the years of those who believe it necessary for more effective law enforcement and the internal security of this country to add to the powers of the FBI by depriving citizens of their rights. He has long advocated and caused to be practiced by his Agents investigative techniques which have proven effective to combat the criminal element, without violating the rights of the innocent.

In short, Mr. Belli, for you to call J. Edgar Hoover a "fascist" reflects a sense of total irresponsibility at which I am, indeed, surprised. When you--like Mr. Hoover--have devoted a lifetime dedicated to raising the standards of the law enforcement profession, from the policeman on the beat to the highest official in the department, have established a pattern of conduct and example which can well serve as a beacon for the youth of this country, and have, in war and in peace, been confronted with daily problems of a most serious nature affecting the very security of our citizenry, then, Sir, I would be more prone to accept your subtle slander with more than a grain of salt.

Very truly yours,

Robert L. Floyd
ROBERT L. FLOYD

RLF:et

cc: THE MIAMI HERALD
THE MIAMI NEWS

C. D. DeLoach, Assistant Director

Francis X. Plant, Esquire

Miss Fran Keogh, Ex-FBI Agents Society

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capital punishment. I only wish I could take in all the rest of them who believe in "gassing" and "frying" felons, through the agonizing ordeal of the last days of waiting in the death house to be hanged or electrocuted, through the gut-wrenching last meal, through the writing of the last heart-breaking letter to one's wife or daughter. Let me do just this, nothing more—and I'd be able to defeat capital punishment singlehandedly.

PLAYBOY: Do you disagree with the view that the death penalty deters crime?

BELL: Naturally, punishment does deter some crime. A lot of crime hasn't happened because whoever considered it simply feared he'd wind up in the clink. But you've got a different breed of motivation in murder—because of its irrationality. Most murderers just don't think in terms of consequences; they don't think it all, as a matter of fact. Thus, the death penalty does very little, if anything, to deter murder. I've seen prisoners join a jailbreak, going right past condemned row, doing exactly what they knew could put them in the death house, and it didn't deter them a bit.

PLAYBOY: Examining another aspect of American justice in a recent book called *Innocence*, author Edward D. Radin estimated that some 14,000 people each year are convicted, imprisoned and in some cases executed for crimes they didn't commit. Are those figures accurate, in your opinion?

BELL: We can't have any way of knowing for sure unless their convictions are reversed—and nothing like that number are. Circumstantial evidence can often be loaded or misleading, and eyewitnesses can be mistaken or untruthful, but I'm still not among those who feel that a great number of innocent people are convicted because of either. I have too much respect for our system of law to believe that justice could miscarry so often and on such a scale. Over and above that, I've had the practical experience to deny the allegation. But, of course, miscarriages do occur, and probably always will, for man-made law will always be fallible; but even if it happens only once in a million cases, we must rectify it and look for means to improve our system of justice so that the same mistake isn't made again. If by protecting the rights of an accused, providing him as we do with recourse to appeal for a reversed decision on the basis of irregularities in the conduct of his trial, we enable ten guilty men to go free because their lawyers get them off on a "legal technicality," it would still be better than for one innocent man to be convicted and imprisoned, or even executed, because he had no such recourse.

PLAYBOY: A moment ago you brought up the fallibility of eyewitness testimony. Would you regard policemen who are

with the average man in the street?

BELL: I'm glad you asked that question. It happens to be one of the axes I grind in my book *Dallas Justice*. In it, I said I was convinced that the testimonial credibility of policemen on the witness stand is often highly suspect, for it stems from the belief, deep in their law-abiding hearts, that they are serving a higher truth than justice when they testify for the prosecution. They often know a lot about the case in which they are testifying that might be helpful to the defendant—but they sometimes neither make it available to his attorney nor mention it in court. They are convinced—it's part of being a cop—that the reason the defendant is sitting there is that the law, their part of the law, has done its job and that the job of judge and jury is to provide a quick, questionless conviction and a stiff sentence. The presumption of innocence until guilt is proven is for lawyers, not for cops. The man must be guilty, they think, or else why has he been arrested, arraigned and brought to trial? So they sometimes convince themselves that a modicum of truth stretching or truth omission on their part can achieve the desirable end that strict adherence to the rule of evidence cannot.

Perhaps, of all people, from what you've read of me, and because of what I've just said, you wouldn't expect me to say this, but I think the average American policeman not only is a good guy, but he's underpaid, overworked and a pretty damned good human being. He goes out of his way to help kids, and to help people in trouble. It's only the black sheep, the errant cop, who gets into the newspapers. And thank God there aren't many of them.

PLAYBOY: The U. S. crime rate is steadily rising, and many law-enforcement officers are convinced that part of the cause lies in the courts' insistence on strict rules of evidence that provide lawyers, as you mentioned a moment ago, with "legal loopholes" to spring their clients. How do you feel about it?

BELL: What the police mentality seems unable to comprehend is that these "loopholes," these technicalities of the law, are among the inalienable protections against the violation and usurpation of human rights. I admit that I've seen a few flagrantly guilty men slip through legal loopholes and go scot-free in my time; but far more often I've seen these same loopholes used to free innocent men and women who would otherwise have perished or been sent to prison for the best years of their lives. That's not the reason for the rising crime rate. And it's certainly not because the police are growing more lawless and more vindictive. They have darkly hinted. A lot of

MIAMI NEWS 7-27-65

FBI's Hoover A Fascist, Lawyer Belli Says

By MARTY SCHRAM
Reporter of The Miami News

"I don't like Edgar Hoover
and I have no use for Dick
Tracy, either."

Speaking was a silver-haired,
movie star-type with Goldwater
glasses. Flamboyant trial law-
yer Melvin Belli was getting his
well-known dander up over
charges that courts are coddling
criminals.

Belli — former attorney for
Jack Ruby, murderer of Lee
Harvey Oswald — bristles at
the slightest suggestion that
criminals are coddled by the
law.

"It's a slur on the American
Constitution," he said here.
"And J. Edgar Hoover is con-
stantly mouthing that slander-
ing 'coddling' charge and Dick
Tracy does it too — at least once
a week."

Belli lectured 2,500 colleagues
yesterday at the American
Trial Lawyers convention at
the Fontainebleau Hotel.

The constitutional guarantees
were written to protect the in-
nocent — not convict the guilty,
argued Belli.



MELVIN BELLI

"Over the years, I've seen
some flagrantly guilty go free
... but I've also seen these
same 'techniques' and 'technical-
ities' of the law save the inno-
cent who otherwise would have
perished."

"Better to let 99 guilty go free
than convict one innocent per-
son."

Belli called FBI Chief Hoover
an "ideological fascist" who has
created a God-like image of him-
self through his "high-powered
public relations organization."

"The main reason I dislike
Mr. Hoover and his embittered
far-rightwingers is because of
their snide and surreptitious

criticism of the United States
Supreme Court," said Belli.

The attorney then pointed out
that both Hoover and Sen. Rob-
ert Kennedy (D-N.Y.) have ad-
vocated allowing wire-tapping
evidence in the courtroom.

"But I'm just Victorian —
and legal — enough to believe
that my home, is still my cas-
tle," countered Belli.

And he added:

"I've had my phone tapped
since I first took on J. Edgar
Hoover a year ago. And Los
Angeles Police Chief (William)
Parker is building a dossier on
me. It's like something out of
Hitler's storm troopers."

The 57-year-old attorney ("I'll
be 53 Thursday") is co-counsel
in a local case, where three
Dania barmaids are charged
with indecent exposure. The
girls served drinks wearing
nothing but pasties above the
waistline. (Belli recently won
a similar case in his home-
town, San Francisco.)

"It's just another point of
law to me," said Belli. "It's
all a matter of censorship. And
I think it should be up to the
individuals to decide what is
bad taste in their own minds."

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Miami, Florida, New
7-27-65

105-49865-29

ENCLOSURE

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FBI's Hoover a 'Fascist,'

Says Criminal Lawyer Belli

By JOHN McDERMOTT
Herald Staff Writer

Melvin M. Belli called J. Edgar Hoover "an ideological fascist" Monday during an address at Miami Beach. He also took a chop at U.S. Sen. Robert F. Kennedy.

"I don't like Edgar Hoover," declared the San Francisco attorney as he opened his remarks to the newly formed Criminal Law Section of the American Trial Lawyers in a convention at the Fontainebleau Hotel.

Belli's observations came as he defended the American court system and particularly the U.S. Supreme Court against charges that the courts tend to "coddle" criminals.

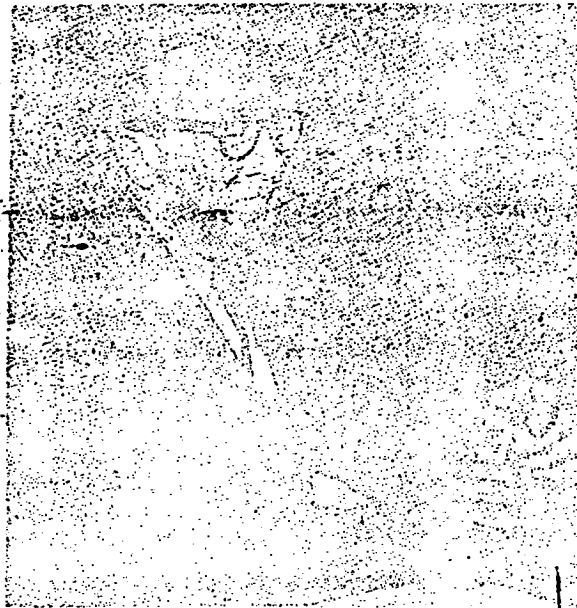
He said one of the reasons he doesn't like Hoover is that he has designedly, through a high-powered public relations organization, created an image of himself that even honest Americans are un-American in their fear of him and afraid to criticize him even though they know he is an ideological fascist.

Belli went on to say, however, that the principal reason he dislikes Hoover "and all ennobled far-rightwing is because of their suicidal surreptitious criticism of the U.S. Supreme Court."

What the courts are doing, Belli, is protecting the rights of the accused regardless of who they are.

Belli said Hoover and his "public relations men" refuse U.S. common law French civil law "where, practically, an accused man is presumed to be guilty until proved otherwise."

As for a lawyer seeking loopholes to keep a man in jail, this is a duty which every attorney must assume in searching for what is the last ditch "technicalities."



Melvin Belli at Convention

...reps Bobby Kennedy, too

Belli said that he has seen these same loopholes and technicalities save the innocent from the death chamber as well as, in some cases, the guilty.

"I subscribe to the necessity of a legal system that can boast better let 99 guilty go free than convict one innocent person," he said.

He said that a criminal lawyer has the duty to seek loopholes just as much as it is the job of a corporation attorney to seek technicalities by which his clients can avoid payments of taxes.

Belli hit at Kennedy, the junior senator from New York, and former U.S. attorney general for advocating the use of wire tapping in the apprehension of criminals.

"Bobby Kennedy and Mr. Hoover and their strange bedfellows in this incidence,

the forces of the far right, want to tap my telephone," he said.

"They want to know what I am saying, therefore, what I am thinking. I'm not a criminal. I've got nothing to hide."

Belli said once his phone is tapped then "someone" will not be satisfied with the exposure of his innermost thoughts but will also want to "assist me in my thinking and tell me how I should think."

Belli said that the Supreme Court in recent years has been fulfilling its highest duty by protecting the individual personal rights of all.

He warned that paralleling the growth of federalism is potential danger of a police state resulting from better communications and scientific crime prevention facilities.

ties such as laboratories and radars.

Belli quoted Hoover as saying at Chicago in 1962 that justice has nothing to do with expediency. "The FBI will continue to be a positive, regardless of pressure groups which try to use the FBI to attain their own selfish aims to the detriment of our people as a whole."

Belli concluded by saying that there is no need to change the laws. "He said that the crime factor should be preserved the freedom of legal rights of the individual."

The Miami Herald
Florida
Jul 27, 1965

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ENCLOSURE

July 30, 1965

EX-107 REC-70

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Honorable Robert L. Floyd
Frates, Fay and Floyd
Twelfth Floor, Concord Building
Miami, Florida 33130

My dear Judge:

Assistant Director C. D. DeLoach has shown me a copy of your letter of July 28, 1965, which was sent to Melvin Belli and the two Miami newspapers.

I am, of course, very grateful for your fine support and quick action in coming to the defense of the FBI and me. While I have never hesitated to speak out when scurrilous allegations of total irresponsibility have been made against the FBI or me, I will not dignify the comments in this instance because of the obvious character and background of the person making these statements. It was good of you, however, to show an interest in this matter, and I wanted you to know of my appreciation.

Sincerely yours,

J. Edgar Hoover

MAILED 2

AUG - 6 1965

COMM-FBI

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- 1 - Mr. Jones (sent with cover memo)
- 1 - Mr. Morrell (sent with cover memo)

NOTE: [REDACTED] (See DeLoach to Mohr memo, 7/29/65, captioned, "Melvin Belli, Attorney San Francisco, California." CDD:bpk) [REDACTED]

CDD:bpk/dgs

(5)

SENT DIRECTOR
FOR APPROVAL

55 AUG 23 1965

AUG 6 1965

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
Belmont _____
Mohr _____
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Holmes _____
Gandy _____

TO :

Mr. Mohr

DATE: July 29, 1965

FROM :

C. D. DeLoach

SUBJECT:

MELVIN BELLI

ATTORNEY - SAN FRANCISCO, CALIFORNIA

Belli is the obviously mentally disturbed and intemperate attorney who served as defense counsel for Jack Ruby in Dallas, Texas. He attempted to gain as much notoriety as possible while serving as counsel. He was later discharged even by Ruby.

I have mentioned telephonically to Mr. Tolson on 7-28-65, Belli recently spoke before the Criminal Law Section of the American Trial Lawyers Convention in Miami, Florida. He later appeared on television.

The attached clipping from the "Miami News" dated 7-27-65 reflects that Belli referred to the Director as a "ideological fascist" who has created a God-like image of himself through his "high-powered public relations organization." We have already received letters from various individual citizens taking issue with Belli and referring to him in very uncomplimentary terms--which he deserves.

I discussed this matter telephonically with Judge Bob Floyd, President-Elect, Former Agents Society, on 7-27-65. There is attached a copy of a letter from Floyd to Belli, copies of which have been given to various newspapers in Miami in which reports of Belli's scurrilous allegations concerning the Director appeared.

ACTION:

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There is attached a suggested letter to Judge Floyd from the Director.

Enclosure

- 1 - Mr. Jones
- 1 - Mr. Morrell

CDD:bpk

(4)

55 AUG 23 1965

SENT DIRECTOR
FOR APPROVAL

8-2-65

8 AUG 16 1965

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: 8-9-65

FROM : M. A. Jones

SUBJECT: THE APPEARANCE OF MELVIN BELLI
SAN FRANCISCO, CALIFORNIA, ATTORNEY
ON THE LES CRANE TELEVISION SHOW "NIGHTLIFE"
ABC-TV, 7-20-65

The captioned program is an interview and discussion type show presented nationally over the American Broadcasting Company network.

The New York Office has provided a tape reflecting Melvin Belli's remarks while appearing on this program on 7-20-65. Belli is, of course, the attorney who acted as defense counsel for Jack Ruby in Dallas, Texas. He is an irresponsible individual who has made a number of scurrilous attacks on the Director and the FBI.

He was interviewed by Les Crane, a well-known TV personality who acts as master of ceremonies on "Nightlife." A transcript of this interview is attached.

To summarize the transcript briefly Belli, as expected, made several nasty remarks concerning the Director and the FBI. He alleged that FBI Agents are inclined to shade their testimony in court in the interest of maintaining a "90 percent record of convictions." He compared the Director to Chief Parker of the Los Angeles Police Department claiming that Parker has "brochures" on most of the people in the West and that Mr. Hoover has "brochures" on most of the people in the United States. He states "that Chief Parker aspires to Mr. Hoover's position which, I think, Mr. Hoover has held much too long." Belli further states that Mr. Hoover "gives graduation addresses and tells where all the criminals are, what they're doing now, the amount of the take and everything else and says he is powerless to do anything."

ENCLOSURE
To document his allegations concerning the Director Belli referred to Fred Cook's book "The FBI Nobody Knows." He cited allegations made by former SA Jack Levine which were set forth in this book stating as follows: "the ideology of the man at graduation. The boys having to come to him with certain colored stockings, a certain necktie, not smoking a cigarette, having to bow when they meet him. All these sort of things remind me very much of the men they would go into the presence of Herman Goerring. These things don't belong in a democracy."

Enclosures: 1 - Mr. DeLoach - Enc.

REC-22

SENT DIRECTOR

8-11-65

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AUG 23 1965

1 - Mr. Rosen - Enc. 1 - Mr. Sullivan - Enc.

Continued.

Tolson
Belmont
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0 M. A. Jones to DeLoach Memo

1 RE: THE APPEARANCE OF MELVIN BELLI

2 ON THE LES CRANE TELEVISION SHOW "NIGHTLIFE"

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4
5 Crane refuted Belli's remarks at this point stating that he had
6 spoken to "FBI men who have read the book " including a former Agent who is
7 now an official in New York City and that they had all indicated that Levine's
8 allegations had no basis in fact.
9

10
11 Belli, not to be deterred, alleged that Levine was denied membership
12 in the Arizona Bar Association because he (Levine) had made critical remarks
13 concerning Mr. Hoover.
14

15 Crane's interview of Belli on this program lasted approximately
16 ten minutes.
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18 RECOMMENDATION:

19 For information.
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TRANSCRIPTION OF EXCERPTS FROM
THE LES CRANE TV SHOW, "NIGHTLIFE,"
ABC-TV, 7-20-65, REFLECTING AN
INTERVIEW OF MELVIN BELLI BY
LES CRANE

CRANE: "Our next guest, who is called by some of his friendly critics, a mad genius, the court jester, meaning the courtroom jester, a publicity-mad pettifogger, the Sal Hurok of the legal profession and various other appellations like that."

BELLI: "You have a pretty good list so far."

CRANE: "Among his enemies are the American Bar Association, the American Medical Association, practically every insurance company in the United States, Robert F. Kennedy, J. Edgar Hoover, Richard Nixon, how much time do we have?"

BELLI: "You've made me out a pretty good guy so far though."

CRANE: "However, one thing that most of his critics have to admit, is that he is generally regarded to be the greatest trial lawyer in America today, Melvin Belli."

"Have you just come from San Francisco or from where?"

BELLI: "Yeah, we just came from San Francisco on one of those wild trips that they get you in on time letting the wheels down

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ENCLOSURE

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0 way up there and bringing you on in they gave you a great big meal
1 over Philadelphia and then after they gave us this meal they brought
2 us down 3,000 feet every second and then we had trouble including
3 Caesar (sic) all the way down." (Dialogue concerning Belli's wearing
4 apparel and the fog in San Francisco not transcribed.)
5

6 CRANE: "You've been getting a lot of attention lately, they had
7 extensive interview with you in 'Playboy Magazine.' You made the cover
8 of Ralph Ginzburg's* 'Fact' magazine with some fantastic statements
9 you made about..."
10

11 BELLI: "Yeah, when that came out we rang for breakfast and I
12 said before you answer the door you'd better see if that's Bob Kennedy
13 Edgar Hoover or the waiter. We were a little concerned about that one."
14

15 CRANE: "For those who might not have read the magazine article
16 would you like to repeat some of the things you said about Bobby Kennedy?"
17

18 BELLI: "Well, if I did what was on the cover you'd be out of a job
19 and I'd be out of a profession. I don't know why he put that on there...
20 you know sometimes when you give these interviews you do use a little
21 language that I think is a little manly, a little rough and then it comes out
22 just exactly as you said it. That's a new type of journalism.
23 Like the University of California. I guess they all graduated from"
24

25 *Ginzburg was formerly the publisher of "Eros." He was convicted
26 of pornography for sending "Eros" and two other publications through
27 the mail. He is appealing this conviction.
28

there. Those four letter words appear on the cover. The way they were strung out on the cover there and I saw them there, that here Belli says this about Kennedy I went back and stayed in the shower for the rest of the day."

CRANE: "What are some of the things you feel about our Senator from New York that you can say on television?"

BELLI: "Oh, I thought the Senator you had was a great man, I'm sorry that he was beaten. That's the one you're referring to?"

CRANE: "No, I'm referring to Robert F. Kennedy."

BELLI: "The present one? I don't know what he is doing down there now, but I was sorry to see the man you had beaten, I thought he was a great Senator and he was doing a great job."

CRANE: "Is he evading the issue? Is that what he is doing?"

BELLI: "Not exactly, I think I've said enough about the other one down there."

CRANE: "You don't want to talk about Bobby at all?"

BELLI: "Not too much, I'd rather wait and see, I think we all would, and see what he does do because here in the troubled years ahead, and certainly there are going to be troubled years ahead, this man avowedly wants to run for the Presidency. Either he or his brother, one of them now is a candidate. One or the other is going to

0 run this we know and he may turn out to be a good man. The brother
1 was the greatest President we ever had, a magnificent man. I thought
2 he was exquisite and by the same token, I can say, I think a lot of us
3 will have to admit that he put more personal fortune into getting into the
4 White House than any man in past history. Some people extrapolate that or
5 not so semantically kind, they say that he bought the Presidency. (sic) He put a
6 lot of money into getting it. Once he got in there he was a great President.
7 Now, if we had what we lost the other day I think it would have been the
8 greatest we ever had. A man that we can apply the appellation to of a real
9 sweet guy in a masculine sort of way, Adlai Stevenson, a man that I think
10 it makes you feel good that we love him so much and here was an egghead,
11 here was a real intellectual and we thought that he stood about at the top of
12 the list. We all loved him. He was a great man. Graciousness, generosity,
13 kindness, old school sort of Chesterfieldian. The first man that would stand
14 when a woman came into the room. All of these gracious things that we
15 thought we've lost in this life I think were personified in this great Adlai
16 Stevenson, and it's such a wonderful thing to see that we still love those
17 qualities in an American and that's why I like this man so much. I was so
18 happy in sadness to see so many other people liked him too."

19 CRANE:

20 "When you undertook the defense of Jack Ruby, I
21 imagine the question that leapt to the minds of lots of your friends
22 and people who don't know you and don't know that much about

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(sic)
the law in which I'll ask for a lot of people who might want to know/ Would
you defend anybody?"

BELLI: "I think the greatest asset that I have as a trial lawyer is that
I am for hire. I'll take either side--I hope with equal facility. As long as
I'm for hire, as long as you can buy me, and once you've bought me, I'm
completely honest to your side. I think that's the greatest attribute the
trial lawyer has. Because then you know you have a champion in your corner.
Yes, I would take any kind of a case and I think the guiltier a man the more
he needs a better lawyer, and I don't mean in the sense that he is going to
pick up the technicalities or the loopholes of the law. I mean it in this sense,
that there is no man so black whose heart is so dark or soul so black that
something can't be said for him. It's a soft touch to go in and represent a
man that anyone can see he is innocent or represent in a personal injury case
a child who has lost a leg, a drunken taxicab driver or a motorist. But
the ones that are tough, the ones that are close, the ones you've got to
explain--they're the ones that need a good lawyer and I think, I say
again, that the thing the layman criticizes us for they say one time he
is representing the corporation the other time he is representing the individual.
He is crying for this side today or tomorrow he will be crying for the other
side. I think that's our greatest attribute. And another thing too that you critic